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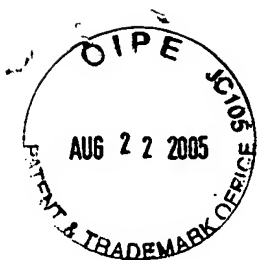
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/766,122
	Filing Date	January 27, 2004
	First Named Inventor	Hoffmann et al.
	Art Unit	1624
	Examiner Name	Kahsay, H., Ph.D.
Total Number of Pages in This Submission	Attorney Docket Number	21558 US

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventors: Hoffmann et al.

Group: 1624

Examiner: Kahsay, H., Ph.D.

Serial No. 10/766,122, filed January 27, 2004
(Ref. No. 21558 US)

For: **NEW CRYSTALLINE MODIFICATIONS OF 2-(3,5-BIS-TRIFLUOROMETHYL-PHENYL)-N-[6-(1,1-DIOXO-1 λ ⁶-THIOMORPHOLIN-4-YL)-4-(4-FLUORO-2-METHYL-PHENYL)-PYRIDIN-3-YL]-N-METHYL-ISOBUTYRAMIDE**

RESPONSE TO RESTRICTION REQUIREMENT

Nutley, New Jersey 07110

Date: August 19, 2005

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This election is filed in response to the Restriction Requirement issued August 1, 2005, in connection with the above-identified patent application. A response to this Office Action is due September 1, 2005. Applicants respectfully request consideration of the following remarks.

Claims 1 to 30 are pending. The claims have been restricted to the following two groups.

- I. Claims 1 to 15 and 28 to 30, drawn to crystalline modification of 2-(3,5-bis-trifluoromethyl-phenyl)-N-[6-(1,1-dioxo-1 λ ⁶-thiomorpholin-4-yl)-4-(4-fluoro-2-methyl-phenyl)-pyridin-3-yl]-N-methyl-isobutyramide, composition and process of making, classified in class 544, subclass 58.2.
- II. Claims 16 to 27, drawn to a method of treating central nervous system disorders, classified in class 514, various subclasses.